

22631. Adulteration of tincture cinchona compound, spirit nitrous ether, and syrup hypophosphites compound. U. S. v. The Blue Line Chemical Co. Plea of guilty. Fine, \$900. (F. & D. no. 31323. Sample nos. 15646-A, 15660-A, 15661-A.)

This case was based on shipments of the following drugs: Tincture cinchona compound that failed to conform to the requirements of the United States Pharmacopoeia and contained a smaller proportion of the alkaloids of cinchona than declared; spirit nitrous ether that failed to conform to the requirements of the pharmacopoeia, since it contained ethyl nitrite in excess of the amount prescribed therein; and syrup hypophosphites compound that failed to conform to the requirements of the National Formulary and contained less quinine hypophosphite and less strychnine hypophosphite than declared on the label.

On February 27, 1934, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Blue Line Chemical Co., a corporation, St. Louis, Mo., alleging shipment by said company in violation of the Food and Drugs Act, on or about August 6, 1932, from the State of Missouri into the State of Illinois, of quantities of tincture cinchona compound, spirit nitrous ether, and syrup hypophosphites compound which were adulterated. The articles were labeled in part: "Tincture Cinchona Compound U. S. P. * * * Standard:— Each 100 c. c. represents not less than 0.4 gms. and not more than 0.5 gms. of the alkaloids of cinchona * * * The Blue Line Chemical Co. Pharmaceutical Chemists, St. Louis"; "Spirit Nitrous Ether U. S. P."; "Syrup Hypophosphites Compound Blue Line Each fluidounce represents * * * Quinine Hypophosphite $\frac{1}{2}$ gr. Strychnine Hypophosphite $\frac{1}{20}$ gr."

It was alleged in the information that the tincture cinchona compound and spirit nitrous ether were adulterated in that they were sold under names recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said pharmacopoeia official at the time of investigation in the following respects: The tincture cinchona compound yielded not more than 0.186 g of the alkaloids of cinchona per 100 cc, whereas the pharmacopoeia provides that compound tincture of cinchona shall yield not less than 0.4 g of the alkaloids of cinchona per 100 cc; the spirit nitrous ether contained not less than 5.35 percent of ethyl nitrite, whereas the pharmacopoeia provides that spirit of ethyl nitrite, to wit, spirit of nitrous ether, shall contain not more than 4.5 percent of ethyl nitrite; and the standard of strength and purity of the articles was not declared on the containers. Adulteration of the syrup hypophosphites compound was alleged for the reason that it was sold under a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said formulary official at the time of investigation in that it contained not more than 0.78 g of anhydrous quinine and strychnine per 1,000 cc, whereas the formulary provides that syrup of hypophosphites shall contain not less than 1.06 g of anhydrous quinine and strychnine per 1,000 cc; and the standard of strength, quality, and purity of the article was not declared on the container.

Adulteration was alleged for the further reason that the strength and purity of the articles fell below the professed standard and quality under which they were sold, since the tincture cinchona compound was represented to conform to the standard laid down in the pharmacopoeia and to contain in each 100 cc not less than 0.4 g of the alkaloids of cinchona, whereas it did not conform to the standard laid down in the pharmacopoeia and each 100 cc contained not more than 0.186 g of the alkaloids of cinchona; the spirit nitrous ether was represented to conform to the standard laid down in the United States Pharmacopoeia, whereas it did not; and the syrup hypophosphites compound was represented to contain in each fluid ounce one-half grain of quinine hypophosphite and one-twentieth of a grain of strychnine hypophosphite, whereas each fluid ounce of the article contained less than one-half grain of quinine hypophosphite and less than one-twentieth of a grain of strychnine hypophosphite.

On June 12, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$900.

M. L. WILSON, *Acting Secretary of Agriculture.*